

**REMARKS**

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

***Status of the Claims***

In the present response, claims 19, 24 and 40 are amended. Also, claims 44-45 are added. Further, claims 1-13 and 34 were previously canceled without prejudice or disclaimer of the subject matter contained therein. In addition, claims 14-17 are withdrawn from consideration. Thus, claims 14-33 and 37-45 are pending in the present application.

No new matter has been added with these claim amendments and new claims. These amendments are clarifying in nature. By deleting/amending these terms in order to clarify the claimed invention, Applicants are in no way conceding any limitations with respect to the interpretation of the claims under the Doctrine of Equivalents. Also, support for the amendments to claims 1 and 40 and the addition of claims 44-45 are found in at least paragraph [0012] of the U.S. Patent Applic. Public. No. 2002/0043316 A1.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, as well as the remarks previously presented in the Preliminary Amendment of September 14, 2007, the Amendment After Final of April 3, 2007 and the Appeal Brief of April 30, 2007, Applicants respectfully request that the Examiner

withdraw all rejections and allow the currently pending claims. The remarks below more particularly pertain to the discussions during the recent Interview.

***Substance of the Interview***

Applicants thank Examiner McDonough and Supervisory Patent Examiner Lorrengo for their time, helpfulness and courtesies extended to Applicants' representative during the Interview of October 30, 2007. The assistance of the Examiner and SPE in advancing prosecution of the present application is greatly appreciated. In compliance with M.P.E.P. § 713.04, Applicants submit the following remarks.

The Interview Summary form amply summarizes the discussions at the Interview. Besides the Interview Summary, Applicants add that during the Interview Applicants' representative explained the features of the present invention, which includes the liquid impregnating substance. Applicants' representative explained that with the present invention, the energetic plasticizer and/or polymeric desensitizer are diffused in the form of a watery emulsion into the absorptive, non-impregnated grains.

***Issues under 35 U.S.C. § 112, Second Paragraph***

Claim 34 stands rejected under 35 U.S.C. § 112, second paragraph, for asserted lack of definiteness (see paragraphs 2-3 of the outstanding Office Action). This rejection is adequately addressed in the response filed on September 14, 2007 (see also the Amendment After Final of April 3, 2007 and the Appeal Brief of April 30, 2007).

***Issues under 35 U.S.C. § 112, First Paragraph***

Claims 19-37 stand rejected under 35 U.S.C. § 112, first paragraph, for asserted lack of enablement (see paragraphs 1 and 4 of the Office Action). This rejection is adequately addressed in the response filed on September 14, 2007.

***Issues under 35 U.S.C. § 102(b)***

Claims 19-37 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Coffee *et al.* '916 (U.S. Patent No. 3,108,916) (see paragraphs 5-6 of the Office Action). This rejection is adequately addressed in the response filed on September 14, 2007. Applicants add the following comments.

Besides the comments during the recent Interview, Applicants respectfully note that with the present invention, the energetic plasticizer and/or polymeric desensitizer are diffused in the form of a watery emulsion into the absorptive, non-impregnated grains. As a result, a layered grain structure is produced wherein at least one of the mentioned energetic plasticizer and polymeric desensitizer is impregnated at, e.g., a diffusion depth ranging from 100 to 500  $\mu\text{m}$ . This in turn leads to a functional material having an improved and higher bulk density is made, which in turn leads to a higher energy content or potential (that can be converted to kinetic energy).

In the outstanding Final Office Action though, the Examiner states that the Coffee '916 method allows "the materials to penetrate the surface" (see page 4, lines 6-7 of the Office Action). Applicants respectfully traverse as these comments are in direct contrast to the

disclosure in Coffee '916 at column 2, lines 13-14 (“ . . . they do not penetrate the surface of the grains. They are presently only as a molecular coating.”).

In addition, the Examiner states that Coffee '916 discloses all claimed features at page 3, paragraph 6 of the Final Office Action. For instance, the Examiner refers to how the “deterrent and plasticizer of Coffee '916 are mixed in solution.” The Examiner appears to be accounting for features a) and b) of instantly pending claim 19. However, Applicants note that claim 19 requires step d) as well, which refers to the “wherein at least one of said energetic plasticizer or said polymeric desensitizer is in the form of an emulsion, and the emulsion diffuses into the receptive grain to produce the layered grain structure”. Applicants respectfully submit that the Examiner has not accounted for this feature.

Accordingly, Applicants respectfully submit that this rejection has been obviated.

### ***Conclusion***

A full and complete response has been made to all issues as cited in the Office Action in the response filed on September 14, 2007. Additional consideration of this response including new claims 44-45 by the Examiner is respectfully requested.

Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Application No. 09/879,187  
Art Unit 1755  
Supplemental Response

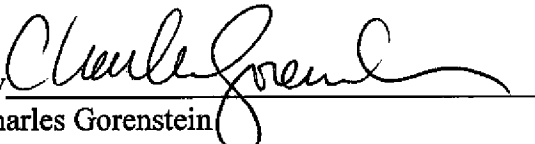
Docket No.: 2360-0473PUS1

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees. However, it is believed that no fee is due with the present submission since the response filed on September 14, 2007 is fully responsive to the outstanding Office Action.

Dated: November 13, 2007

Respectfully submitted,

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